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28 Attorneys for Plaintiff

16 UNITED STATES DISTRICT COURT  
17 DISTRICT OF NEVADA

19 NAVAJO HEALTH FOUNDATION - SAGE  
20 MEMORIAL HOSPITAL, INC. (doing business as  
21 "Sage Memorial Hospital"), an Arizona non-profit  
corporation,

22 Plaintiff,

23 vs.

24 RAZAGHI DEVELOPMENT COMPANY, LLC  
25 (doing business as "Razaghi Healthcare"), a Nevada  
26 limited liability company; AHMAD R. RAZAGHI,  
individually; TAUSIF HASAN, individually;  
DOES 1-20; DOES A-Z,

Case No. 2:19-cv-0329-GMN-EJY

**STIPULATION TO FILE SECOND  
AMENDED COMPLAINT**

27 Defendant.

28

Pursuant to Fed. R. Civ. P. 15(a)(2) and Local Rules 7-1 and 15-1, Plaintiff Navajo Health  
1 Foundation - Sage Memorial Hospital, Inc. (“Sage Memorial”) and Defendants Razaghi  
2 Development Company, LLC, Ahmad Razaghi, and Tausif Hasan (collectively, “Defendants”)  
3 stipulate and agree that Sage Memorial may file a Second Amended Complaint to correct certain  
4 errors Plaintiff discovered in the First Amended Complaint, and further stipulate and agree to the  
5 following additional briefing matters relating to any response to the Second Amended Complaint:  
6

7       1.     On May 28, 2021, Sage Memorial filed its First Amended Complaint. (ECF No. 136).

8       Shortly after filing it, Sage Memorial discovered typographical errors that it believes should be  
9       corrected to clarify certain allegations and other typographical errors that it believes should also  
10      be corrected at the same time.

11      2.     Sage Memorial has provided the Defendants with a redlined version of the First  
12      Amended Complaint showing the proposed corrections. A copy of the redlined version showing  
13      the proposed changes is attached as Exhibit A (“Proposed Second Amended Complaint”).  
14

15      3.     After having reviewed and discussed the Proposed Second Amended Complaint with  
16      Sage Memorial, the Defendants hereby stipulate to Sage Memorial filing a Second Amended  
17      Complaint containing the changes Plaintiff asserts are typographical errors as redlined in the  
18      Proposed Second Amended Complaint. A clean version of the Second Amended Complaint  
19      incorporating each of the redlines is attached as Exhibit “B.”  
20

21      4.     Because Sage Memorial will be filing a Second Amended Complaint, the parties  
22      stipulate that the Defendants do not need to file a response to the First Amended Complaint,  
23      which is currently due on July 30, 2021. (ECF No. 141). The parties stipulate that, pursuant to  
24      Fed. R. Civ. P. 15(a)(3), the Defendants shall have 14 days from the date the Second Amended  
25      Complaint is filed to respond to the Second Amended Complaint.  
26

27      5.     Neither Sage Memorial nor the Defendants waive or relinquish any claim, defense,  
28      right, or argument relating to the Second Amended Complaint by virtue of this stipulation. Each

1 party expressly reserves all such claims, defenses, rights, and arguments. Moreover, because the  
2 Razaghi Defendants have not yet responded, and will not be responding, to the First Amended  
3 Complaint, Sage Memorial and the Defendants agree that the filing of the Second Amended  
4 Complaint does not constitute a waiver of any claim, defense, right, or argument relating  
5 to the content of the Second Amended Complaint merely because that same content appeared in  
6 the First Amended Complaint or said claim, defense, right, or argument could also have been  
7 raised concerning the First Amended Complaint.

8       6. In the event the Defendants elect to file a motion to dismiss, the parties further  
9 stipulate to the following briefing schedule and enlargements of the page limits set forth in Local  
10 Rule 7-3(b):

12           a. Sage Memorial's opposition shall be due 30 days after the Defendants file a  
13 motion to dismiss;

14           b. The Defendants reply to Sage Memorial's opposition shall be due 15 days after  
15 Sage Memorial files its opposition;

17           c. the page limit for the Defendants' motion to dismiss shall be enlarged from 24  
18 pages to 30 pages, *see* Declaration of Kris Leonhardt attached hereto as Exhibit C;

19           d. the page limit for Sage Memorial's opposition to the motion to Dismiss shall  
20 be enlarged from 24 pages to 30 pages;

21           e. the page limits for the Defendants' reply be enlarged from 12 pages to 15  
22 pages.

24           f. These indicated extended page limitations shall be exclusive of the caption  
25 page, exhibits, Table of Contents, Table of Authorities and Certificate of Electronic Service.

1 The parties ask the Court to approve the stipulation allowing Sage Memorial to file its Second  
2 Amended Complaint (Exhibit B) and establishing the briefing schedule and page limits set forth  
3 above.

4

5   
6 Pavneet S. Upaal  
7 Kris Leonhardt  
8 Brian L. Bradford

9 Counsel for Razaghi Development  
10 Company, LLC, Ahmad Razaghi,  
11 And Tausif Hasan, *Defendants*

12 Dated: July 30, 2021

13   
14 Kathleen Bliss  
15 Paul S. Padda  
16 David Stander  
17 Douglass A. Mitchell

18 Navajo Health Foundation – Sage Memorial  
19 Hospital, Inc., *Plaintiff*

20 Dated: July 30, 2021

21 IT IS SO ORDERED.

22 IT IS FURTHER ORDERED that the Clerk of  
23 Court shall separate and electronically file  
24 Plaintiff's Second Amended Complaint (ECF No.  
25 142-2).

26   
27 UNITED STATES MAGISTRATE JUDGE

28 Dated: August 2, 2021